

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE NEW ENGLAND COMPOUNDING)
PHARMACY, INC. PRODUCTS LIABILITY)
LITIGATION)
_____)

MDL No. 2419
Dkt. No 1:13-md-2419 (RWZ)

THIS DOCUMENT RELATES TO:)

Suits Naming the Tennessee Clinic)
Defendants)
)

NOTICE OF POSTPONEMENT OF DEPOSITION

Defendants Saint Thomas Outpatient Neurosurgical Center, LLC; Howell Allen Clinic, a Professional Corporation; John Culclasure, MD; Debra Schamberg, RN, CNOR; Vaughan Allen, MD; Specialty Surgery Center, Crossville, PLLC; Kenneth R. Lister, MD; Kenneth Lister, MD, PC; and Donald E. Jones, MD (collectively "Tennessee Clinic Defendants") give notice to the Court and to all parties of the following:

1. On March 18, 2015, the Tennessee Clinic Defendants served a subpoena on the Massachusetts Board of Registration in Pharmacy ("Mass. BoP"), along with a Rule 30(b)(6) notice of deposition and request for documents. The deposition was set for May 6, 2015.

2. The Mass. BoP, through counsel, has lodged various objections to the subpoena and notice.

3. Counsel for the Tennessee Clinic Defendants and the Mass. BoP are working diligently to resolve those objections, accomplish document production, and schedule the deposition of corporate representative witness(es). Although the date has not been confirmed, counsel for the Tennessee Clinic Defendants and the Mass. BoP are aiming to reset the deposition for June 15, 2015.

4. The Tennessee Clinic Defendants hereby give notice to the Court and to all parties as to the postponement of the deposition of the Mass. BoP pending resolution of the objections and resetting of the deposition to a convenient time for all involved, hopefully June 15.

Respectfully submitted,

GIDEON, COOPER & ESSARY, PLC

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* Admitted pursuant to MDL Order No. 1.

** Admitted *pro hac vice*.

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be served electronically to the registered participants identified on the Notice of Electronic Filing and copies will be e-mailed or mailed via regular U.S. mail to those participants identified as unregistered this 27th day of April, 2015.

This document was also served by electronic mail on:

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/s/ Chris J. Tardio

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